

Permitting & Assistance Branch Staff Report
Modified Solid Waste Facilities Permit for
EDCO Station
SWIS No. 37-AA-0922
April 27, 2017

Background Information, Analysis, and Findings

This report was developed in response to the County of San Diego Department of Environmental Health Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed modified Solid Waste Facilities Permit (SWFP) for EDCO Station, SWIS No. 37-AA-0922, located in San Diego County and operated by EDCO Disposal Corporation and owned by the City of La Mesa. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was received on March 24 2017. Action must be taken on this permit no later than May 23, 2017. If no action is taken by May 23, 2017, the Department will be deemed to have concurred with the issuance of the proposed modified SWFP.

Proposed Changes

The following changes to the first page of the permit are being proposed:

	Current Permit (2011)	Proposed Permit
Permitted Traffic Volume	1,214 Passenger Car Equivalents per day	Removed

Other changes include:

1. Updates to the following sections of the SWFP: "Findings" and documents that describe and/or restrict the operation of the facility, and "LEA Conditions," including rewording and deletions for the purpose of updating and/or clarifying operational requirements.
2. Update the Transfer Processing Report.

Key Issues

The proposed permit will allow for the following:

1. Removal of the permitted traffic volume. The LEA will regulate per Title 14, California Code of Regulations (14 CCR), Section 17418.3; and
2. Incorporate the updated Transfer Processing Report, dated December 2016.

Background

EDCO Station is located within the City of La Mesa in an incorporated area of San Diego County. The 4.1-acre facility functions as a Large Volume Transfer Station and Material Recovery Facility. The facility was first permitted in 1997.

Findings

Staff recommends concurrence in the issuance of the proposed modified SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated March 21, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on November 23, 2016. The LEA provided a copy to the Department on January 19, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on March 24, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(4)(A) Consistency with Public Resources Code (PRC) 50001	The LEA in their permit submittal package received on March 22, 2017, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the Nondisposal Facility Element, as described in their memorandum dated March 29, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on March 23, 2017. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on March 22, 2017, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Notice was posted by the LEA on February 16, 2017. No written comments were received by LEA or Department staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed modified SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on March 23, 2017, and found that the facility was in compliance with applicable state minimum standards and permit conditions.

Below are the details of the facility's compliance history based on the LEA's monthly inspection reports during the last five years:

- March 2017 – March 2012 - No violations were noted.

Environmental Analysis

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the City of La Mesa Community Development Department acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include updating of the permit and the incorporation of the updated Transfer Processing Report. There will be no changes to the operating days or hours, permitted area, or daily tonnage.

The existing permit is supported by the following environmental document. A Final Environmental Impact Report (FEIR), SCH. No. 96071012, was certified by the City of La Mesa on March 25, 1997 acting as Lead Agency. The FEIR analyzed for a Transfer Station and Materials Recovery Facility that would operate at a peak tonnage of 1,000

tons per day, 24 hours per day, and seven days per week. Feedstock would consist of municipal solid waste and green material. The environmental document sufficiently describes the continued operation of the facility. The proposed permit modification will remove the maximum daily vehicle count from the permit and allow traffic to be restricted to the maximum daily tonnage allowed at the facility.

The San Diego County Department of Environmental Health (LEA) has made a finding that the proposed modified SWFP is consistent with and supported by the cited environmental documentation. The LEA finds the permit action exempt under section 15301 Existing Facilities of the CEQA Guidelines and a Notice of Exemption will be filed with the County Clerk and State Clearinghouse.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the FEIR as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed modified SWFP. Department staff has reviewed and considered the CEQA record and recommends the FEIR is adequate for the Branch Chief's approval of the proposed project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed modified SWFP and all of its components and supporting documentation, this staff report, the FEIR adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed modified SWFP. The custodian of the Department's administrative record is Ryan Egli, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments

The project document availability was noticed consistent with the SWFP requirements. The LEA posted a Public Notice on February 16, 2017, in the County of San Diego. No comments were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on April 18, 2017. No comments have been received by Department staff.